

FILED

UNITED STATES COURT OF APPEALS

JUL 14 2017

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: EASYSAVER REWARDS
LITIGATION,

JOSUE ROMERO; et al.,

Plaintiffs-Appellees,

v.

BRIAN PERRYMAN,

Objector-Appellant,

v.

PROVIDE COMMERCE, INC.; et al.,

Defendants-Appellees.

No. 16-56307

D.C. No.

3:09-cv-02094-BAS-WVG

Southern District of California,
San Diego

ORDER

The July 13, 2017 order at Docket Entry No. 46 is vacated as entered in error.

The opposed motion (Docket Entry No. 36) of National Legal Aid and Defender Association (NLADA), et al. to file an amicus brief, appellant's response (Docket Entry No. 38), and NLADA, et al.'s reply (Docket Entry No. 39) are

referred to the panel that will consider the merits of the appeal.

Within 7 days after the date of this order, amici curiae is ordered to file 7 copies of the brief in paper format, with a green cover, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. A sample certificate is available on the Court's website, www.ca9.uscourts.gov the Electronic Filing - ECF Link. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. The paper copies shall be submitted to the principal office of the Clerk. For regular U.S. mail, the address is P.O. Box 193939, San Francisco, CA 94110-1526.

Appellant Perryman's request to file a responsive brief (Docket Entry No. 38) is referred for resolution to the panel that will consider the merits of the case. Within 30 days after the date of this order appellant shall submit a proposed brief, not to exceed 7,000 words, in response to the amicus brief. The proposed responsive brief will be lodged for whatever consideration the merits panel deems appropriate.

The remainder of the briefing schedule remains unchanged.

FOR THE COURT:
MOLLY C. DWYER
CLERK OF COURT

By: Samantha Miller
Deputy Clerk
Ninth Circuit Rule 27-7